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| Melissa B. Pendleton  |                                |  |  |  |  |  |
| Message:  | ·                              |  |  |  |  |  |
| Amendment After Final Action Notice of Appeal Petition and Fee for Extension of Time Appln. No. 10/090,493 Filed: March 4, 2002 Office Action dated: June 5, 2003 |                                |  |  |  |  |  |
| Number of Pages: (including cover page) 9   |                                |  |  |  |  |  |
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| CLIENT/MATTER: 104035/2   | 44910 OPERATOR:                |  |  |  |  |  |

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## RESPONSE UNDER 37 C.F.R. 1.116 -EXPEDITED PROCEDURE - EXAMINING GROUP []

Attorney's Docket No. 104035/244910

PATENT

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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 0 5 2003

to

In re:

Raschke et al.

Confirmation No.: 6041

1615

Appln, No.:

10/090,493

Group No.:

J. Venkat

Filed: For:

03/04/2002

Examiner:

ACTIVE INGREDIENT COMBINATIONS OF SURFACE-ACTIVE CITRIC ESTERS AND INCLUSION COMPOUNDS OF CYCLODEXTRINS

AND RETINOIDS, AND COSMETIC AND DERMATOLOGICAL

PREPARATIONS CONTAINING SUCH MIXTURES

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

| 1.          | This is a petition fo   |                               | for a tot  | al period of three n onths to respond |  |  |
|-------------|---|-------------------------------|------------|---------------------------------------|--|--|
| 2.          |   |                               | X          | other than a small entity.            |  |  |
| 3.          | Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):         |                               |            |                                       |  |  |
|             |   | Total Months                  | <u>F</u> 6 | ee for Other Than                     |  |  |
|             |   | Requested                     |            | Small Entity                          |  |  |
|             |   | Three months                  |            | \$950.00                              |  |  |
| *Cann       | ot he used to exceed six-   | nonth statutory limit for res | ponse to   | an Official Action.                   |  |  |
|             | A check in the amount of \$ is enclosed.                              |                               |            |                                       |  |  |
| $\boxtimes$ | Charge Deposit Account No. 16-0605 for the extension fee of \$950 00. |                               |            |                                       |  |  |
| $\boxtimes$ | Charge Deposit Account No. 16-0605 for any fee deficiency.            |                               |            |                                       |  |  |

Respectfully submitted,

Melissa B. Pendleton Registration No. 35,459

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CERTIFICATION OF FACISIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Traden ark Office at Fax No. (703) 872-9306 on the date shown below.

e R. Rippy

December 5, 2003